

## Guidance on Race/Ethnicity Montana Office of Public Instruction (OPI)

### Suggestions for Conducting Observer Identification

The Federal Guidance requires the use of observer identification at the elementary and secondary school level as a last resort, if racial and ethnic data are not self-identified—by the student or more typically the student’s parents or guardians. If you are the individual assigned by your school or district as an observer, these are some suggestions to help you perform this duty. First of all, remember that:

- **Observer identification is used as “a last resort,” after other efforts to have a parent identify the student or a student to identify himself or herself have failed.** Check your district’s policies for follow-up procedures. Typically, they will include following up with parents, through e-mail or phone communication, to determine whether the parent or student is refusing to self-identify rather than simply overlooking the question.
- **Self-identification is based on how people define themselves or their children.** Assigning a race and ethnicity to an individual is a somewhat arbitrary exercise because these are not scientific or anthropological categories. While assigning race and ethnicity to another person is a difficult task, given the emotionally charged feelings and deep beliefs that many people have concerning the issue, your job as an observer for federal reporting purposes is simply to assign race and ethnicity categories to the best of your ability. It is important that you are consistent in your observation, and make your judgments objectively.

In addition to visual observation, there are ways to help you determine an individual’s race and ethnicity. Rely first on existing information before you actually “observe” the race or ethnicity of the student, but check your information source to the best of your ability. For example:

- Check the student’s *prior record* to determine whether a racial category was selected in the past. This can narrow down the possibilities, but you may still need to determine whether the student is multiracial or has selected one of the “old” categories that has been separated (e.g., Asian and Pacific Islander, or Hispanic with no race identified).
- Check whether a *student’s sibling* in the school has re-identified a race and ethnicity during the re-identification. There is, however, a possibility of different race and ethnicity among siblings as a result of adoption and blended families. You do not want to base it on a students’ surname.
- If sufficient existing information is lacking, you may look for clues from other sources such as:
  - first-hand knowledge about the student or his/her family (check with a teacher or counselor);

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- the student's and parent's country of birth or country of origin;
- the student's home language or parent's language of preference; and
- knowledge about the community to which the school belongs.

The Federal Guidance recognizes the burden placed on school and district personnel in observer identification, and that the practice may not yield data as accurate as those from self identification. However, absent self-identification or existing records, observer identification is considered preferable to having no data at all.

Students and parents who are reluctant to self-identify should be informed that observer identification will be used. This may discourage them from refusing to self-identify. Self-identification is the preferred choice of selecting an individual's race and ethnicity, though a person is not required by law to make these selections.

Observers should not tell a student, a parent, or a staff member how he or she should classify himself or herself. When asked, simply restate the question, explaining the definition within a race or ethnicity category. If a parent just states that a student is Hispanic, observers should encourage the parent to also select one or more race categories because people of Hispanic origin may be of any race.

Observers should be encouraged to stay within their own comfort zone. Visual identification of multiple race background is a difficult task. Observers should attempt this if they are comfortable doing so. Supporting information, such as personal information from a teacher or knowledge about common race combinations within the community, can be helpful in making such determinations.

There is no federal requirement to "flag" a student's record in the information management system if his or her race and ethnicity categories are selected by an observer. However, while this is an additional expense, it would be a helpful piece of information kept at the school or district level. It need not be transmitted to the state.

Observer identification may not be feasible in cases such as distance education. Following up with parents via telephone or electronic mail are probably the only feasible options. In some extreme cases of geography, for instance, it can be almost impossible to observe a student. Data collectors from the school or district can speak to the student or parents and try to allay any reservations about providing race and ethnicity information. However, parents are free to refuse to give this information no matter how hard one tries to convince them to do so. In distance education or other virtual programs, after all techniques for collecting data from parents and students have failed, and search of previous records have not provided information, the observer may choose to default to the most dominate racial category for the district.

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School district policy should indicate the steps to be taken before an observer makes a selection. These steps may include reviewing the enrollment form with the parent at registration, or sending a second letter or making a phone call to follow up with the parent when the information is not volunteered. In any case, the observers should be prepared to explain, if asked, that the state is required to provide such information as an aggregate to the federal government; that the school district is required to select race and ethnicity categories for students on their behalf if parents or students decline to answer the questions; and that the school district will maintain the confidentiality of individual race and ethnicity records. Also be ready to explain federal law and state policy regarding the confidentiality of racial and ethnic data and the benefits of the new categories in allowing a person to choose his or her race and ethnicity.

All observers should be trained on the procedures for racial and ethnic identification. These include the steps taken to ensure that respondents have refused to self-identify after being given the choice rather than simply having overlooked the question, and the statements to be made when asked about the process.

The OPI recommends designating the building principal or his/her trained designee as the observer. Alternately, school districts may choose to allow multiple staff members to perform observer identification. There are advantages to placing the responsibility with the school principal/superintendent, rather than sharing it among clerks and other staff; (1) it improves the consistency of the data collection process, and (2) in the event that students, staff members, or parents become dissatisfied with the observer identification process, this policy seats responsibility with one authoritative source, thus avoiding the confusion that might result if the burden were spread among numerous staff members.

More information can be found in the NCES handbook entitled "Managing an Identity Crisis: Forum Guide to Implementing New Federal Race and Ethnicity Categories" beginning on page 28. <http://nces.ed.gov/pubsearch/pubsinfo.asp?pubid=2008802>